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RHEFDIA/DIA WASHDC PRIORITY
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
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C O N F I D E N T I A L KATHMANDU 001268

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TAGS: PGOV MASS NP

SUBJECT: PARLIAMENT ASSERTS SUPREMACY

REF: A. KATHMANDU 1267

B. KATHMANDU 1262

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b,d).

Summary

¶1. (U) Prime Minister Girija Prasad Koirala presented the much-awaited Declaration limiting the power of the King to the House of Representatives on May 18. Despite rumors that the language would be muted (ref A), the Declaration stated that Nepal was now a secular state, with the Parliament having clear control over the King, the Palace, and the "Nepal Army." From May 16, the Kathmandu District Administration Office banned any meeting, procession, sit-in, or strike in some public places of Kathmandu for security reasons. The seven-party alliance was still working on naming an expanded Cabinet. End Summary.

Parliament Limits King's Power

¶2. (U) Prime Minister Girija Prasad Koirala on May 18 introduced to the House of Representatives the much-awaited declaration limiting the power of the King. Koirala, noting his ill health, turned over the full reading of the Declaration to Subas Chandra Nemwang, the House Speaker. Earlier in the day the Cabinet had approved the Declaration. Citing "historic" interest, Parliament showed the live House proceedings on local television, and invited Ambassadors to Parliament to witness the proceedings. Members of Parliament were seen on television clapping as the Speaker announced each provision and the Declaration passed by unanimous acclamation.

¶3. (C) The Declaration was just as previewed in the media. Highlights of the Declaration included limiting the King's discretionary powers in response to the people's movement. This means that the King will lose all executive authority which was vested in him. The Declaration ensured that the Parliament will decide on royal succession, taking away the King's prerogative (as well as dealing with the problem of Crown Prince Paras, widely regarded as unfit to be King).

The Declaration replaced the term "His Majesty's Government," with "Nepal Government." The Declaration dissolved the Raj Parishad (State Council) Standing Committee, giving all functions to the Parliament. The Civil service will now control the Palace, and not the Royal Palace Secretariat. Parliament will now determine all expenses of the palace, and the King will have to pay taxes on his assets and income. A Cabinet decision will now arrange security of the royal palace.

Military Under Cabinet

¶4. (U) The Declaration abolished the title of Supreme Commander-in-Chief of the Royal Nepalese Army, which ended the debate on whether the King should head the national army. The name of the "Royal Nepalese Army" was officially changed to "Nepal Army," which will be mobilized on orders of the Cabinet. While the Cabinet will pick the army chief, mobilization of the army and security forces will be done by decision of the Cabinet council. However, the stipulated parliamentary committee will have 30 days to approve the Cabinet's decision.

Empowering Parliament

¶5. (U) The Declaration said Nepal is a secular state, and will no longer be a Hindu Kingdom. The House of Representatives is now the sole body on which the sovereign rights of the people rest. The Speaker of the House, not the King, will now convene a Parliament Session on the recommendation of the Prime Minister, and the Speaker can now close the Parliament Session. A special session of the House can now be called at the request of 25 percent of the lawmakers. The Prime Minister can now appoint a person to the Cabinet who is not a Member of Parliament. The Declaration voided all laws and Constitutional provisions that contradicted it and stated that the House of Representatives will solve any obstacles in implementing the Declaration.

Government Bans Protests in Some Areas

¶6. (C) The Kathmandu District Administration Office banned any meeting, procession, sit-in, or strike in some public places of Kathmandu "to maintain law and order" as of May 18. The order did not apply to festivals and cultural programs. The prohibited areas included areas around the Singha Durbar Parliament building, site of almost daily demonstrations since the reinstatement of Parliament. The government was likely concerned by the May 16 demonstration (ref B) when demonstrators burned six vehicles in central Kathmandu and blocked traffic, disrupting schools, business, and hospitals.

Cabinet Expansion Delayed

¶7. (C) The seven-party alliance decided to make the Declaration limiting the King's powers on May 18, rather than waiting for a full Cabinet. Media and Embassy sources noted that intra-party wrangling in the Nepali Congress-Democratic (NC-D) and People's Front Nepal (PFN) parties was contributing to the delay. Although the government had originally intended to have a complete Cabinet in place before making the historic Declaration, public pressure had been mounting.

Comment

¶8. (C) The government's declaration boxes the King in and should relieve public pressure and clamor. Recently, despite Maoist extortion and other bad acts, the public's criticism had been directed against the parties, urging them to act. Indeed, a softer declaration might have led to renewed, widespread demonstrations. In restricting demonstrations in

certain parts of Kathmandu, the government was presumably seeking to reassure the many residents who fear that the Maoists have been given free rein in the city. Now, the public focus should shift from whether the seven-party alliance can act to whether the Maoists sincerely intend to enter peace negotiations.

MORIARTY